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JUDD vs. TRUMBULL;

OR,

PLAIN TRUTHS.

ADDRESSED

To the real Friends of the State of Connecticut, of every Sect, Denomination, and Party, whatever.

BY JUDD.

"The basis of our political system, is the right of the people, to make and alter their constitution of Government."

"This government, the offspring of our own choice, uninfluenced and unawed, adopted upon full investigation and mature deliberation, completely free in its principles, in the distribution of its powers, uniting security with energy, and containing within itself, a provision for its own amendment, has a just claim to your confidence and your support."

Washington's Farewell Address.

NEW-HAVEN—PRINTED BY J. BARBER.

1820.

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TO THE READER.

The writer of the following sheets, commenced their publication in numbers, in the *Columbian Register*, in answer to a pamphlet signed Trumbull. His friends have advised the publication of the numbers in a pamphlet form, which he has consented to, and has coupled them with a review of the measures of the Republican administration. If he has taken a correct view of the subjects discussed, it is thought that what he has written will not be wholly unacceptable to his fellow citizens. His interest in the political questions of the day, is in common with that of every other private citizen. He is neither an office holder under the general or state government; and his only aim is, to place the measures of the former, and the present administration, side by side, before his fellow citizens, that men who are not misled by party feelings, or blinded by prejudices, can form an opinion of their merits for themselves.

JUDD vs. TRUMBULL.

WITHIN a few months past a pamphlet has issued from the press of Messrs. George Goodwin and Sons, of Hartford, entitled, "The Mischiefs of Legislative Caucuses exposed, in an address to the people of Connecticut, by Trumbull." This production has been distributed with great industry by the Federal runners; and what is somewhat extraordinary, the gentleman who has been most active in its distribution, is the author of *Simon Holdfast*—a man, who, in his day and generation, has made more caucus harangues, and scribbled more-caucus addresses, than any ten men in Connecticut. Although this little work is evidently arranged by a more mischievous hand, and worded with a more nervous pen, than has latterly descended to manufacture political rockets, yet a careful examination of its contents, is alone necessary to convince any unbiassed mind, that, whatever may be said of the writer's *conclusions*, his *premises* are unequivocally false, hypocritical, and hollow. And although his falsehoods are many of them artfully frosted over with an affectation of candour and fairness, yet, on penetrating the surface, we shall, if I mistake not, find the body of the work but little else than another specimen of the political trash with which men, of daring ambition and disappointed hopes, when thrown from an elevated situation into a minority, endeavour to poison the public mind.

There, probably, never was a government on earth which has been assailed by such incessant slanders, as has that of Connecticut, since its administration was entrusted to Republican hands. Instead of exposing the measures of the administration to the public, if exposure they require, the Federalists have preferred to misrepresent the proceedings of the Legislature, and to libel both the political and private characters of its members. For this purpose, individuals have been employed to seat themselves in the gallery of the Assembly, session after session, to distort, caricature, and then dissect the proceedings of that body. So far, indeed, has this shameful business been carried, that in one instance at least, an individual, a stranger to our state, our laws, and our habits, who not long since was driven in disgrace from the gallery of the Legislature of a neighbouring state, has been imported into Connecticut, and made use of by his employers as a *Reporter* of Legislative proceedings for the Federal newspapers! Facts like these, are too notorious to be denied, and too disgusting to require comment. It was hoped, however, that these abortive attempts to withdraw the confidence of the people from their public servants, would, at least, have convinced the *master spirits* of the inexpediency of resorting to such unfair means of warfare, if it did not make them feel the iniquity of the

practice. The writer of the pamphlet, however, seems determined not to be deterred by the disgrace of his predecessors; and advances to his work like a veteran in the cause.

The first position which "Trumbull" advances, is, that for the three last sessions of the Assembly, all important acts have been first agreed upon in Legislative caucuses, at which, men who were not members of the Legislature, have been admitted; that, in this way, the public business has been wrested from the hands of the Legislators, and been transacted, in fact, by persons who were not members of the Assembly, and not responsible to any one. His language is as follows: "I come to inform you, that your interests have not even been consulted for the three last sessions of the General Assembly, and that the foulest corruption has defiled the sanctuary of Legislation." And again, "For the three last sessions it has been the constant practice of members of the Legislature to hold meetings, called caucuses, with any, and all, who see fit to assemble, from all parts of the state, of whatever character or standing." The writer then tells the "people of Connecticut," that, whatever is voted for at these meetings, "is of course voted for by all who belong to this party in the Legislature, whatever may be their own private opinions regarding it;" and in this way he afterwards continues: "It is evident that as a *majority of the caucus do not belong to the Assembly*, a measure of vital importance may be adopted against the conviction of every member of that body, in compliance with the decision of a caucus."

This, certainly, is a heavy charge; and from the solemn manner in which Trumbull has brought it forward, and from the importance of the subject to which it relates, one would expect to find it fortified by something like proof. He might, with as much propriety, have charged the Legislature with being composed of swindlers or highwaymen, and without stopping to make good his charges, have proceeded most solemnly to convince the people that they should be displaced, to make room for honest men. It is an easy matter for an anonymous writer thus to accuse the Legislature of defiling the sanctuary of Legislation with "the foulest corruption;" but there is a wide difference between *saying* a thing and *proving* it. If measures have been adopted at meetings, made up of men, a majority of whom "do not belong to the Assembly," which measures were afterwards adopted by the Legislature, surely Trumbull could single out at least one act that had been thus imposed upon the Legislature. This he is bound to do, and this I challenge him to do, before the "people of Connecticut," to whom he has addressed his pamphlet. If Trumbull, or any other man, will point out a single Legislative act, which has been in this way forced through the Assembly, I will yield him the point for which he contends; but if this is not done, he must stand self convicted before the "people of Connecticut," as a foul libeller of their government, and wholly unworthy of their credit. That public meetings were occasionally held during the late session of the Assembly, and I presume at former sessions, composed of members of the House of Representatives, and others not members, I am not about to deny; but I assert, without fear of contradiction from any man acquainted with the facts, that no subject con-

acted with the business before the Assembly, was ever agitated at these meetings. Every thing of that kind has been scrupulously avoided. Indeed, in repeated instances, during the two years past, while the Republicans were in this way assembled at one end of the State-house, the Federalists have been in like manner assembled at the other. Whether there is any thing right or wrong, in "brethren of the same principle," thus forming congratulatory caucuses, after the heat of an election has gone by, I do not pretend to say: but I do say, if this "steady habit" is one that would be "more honoured in the breach than in the observance," if there is any thing improper in the practice, it has been transmitted to the party in power by their Federal predecessors. No caucus of any kind was ever held under the roof of a State-house by the Republicans, according to the admissions of Trumbull, till within the three years past; but there is not a reputable Federalist, acquainted with the manœuvres of his own party, who dare deny, *that the Federalists have been in the constant habit of caucusing during the sessions of the Assembly, and in the Council Chamber, from the year 1800 to 1818.* Does any man doubt this? Let him turn to a file of the Connecticut Courant, printed by the same George Goodwin and sons, who have printed Trumbull's pamphlet, and he will there find the caption of every Federal nomination of assistants, for eighteen years past in succession, in the following, or similar words: "At a numerous and respectable meeting of members of the General Assembly, *and other gentlemen from various parts of the State*, convened at the Council Chamber in Hartford, on the — day of May last, it was voted to recommend to the freemen the following gentlemen to stand in nomination for Assistants in September next." Then followed the ticket, arranged "in titled triumph," with an accompanying address to the freemen, not unfrequently written by some one of the candidates. If Trumbull is the real friend of the State that he pretends to be, how could he slumber in security for eighteen years in succession, while he and his Federal friends were thus constantly caucusing in the "Council Chamber," and yet stiffen his pen for an attack, the moment his opponents are suspected of assembling in a similar manner?

It is evident from what we have already seen of Trumbull's pamphlet, that the writer belongs to that unfortunate class of soured politicians, who, having lost the confidence of the people themselves, and having been consequently driven from office, now take a malignant pleasure in attempting to blacken the character of every man, who has been promoted since the sceptre of power was wrested from Federal hands. Hence he does not pretend to say that the *measures* of the new administration have been "unwise;" indeed he rather seems (though unwillingly) to admit, that "in the hands of the all-wise Providence," their *measures* will answer well enough. His hostility seems directed not against *measures*, but *men*. The present Congressional delegation are first selected, and condemned *en masse*, with a single sweep of the pen. Trumbull's language, when speaking of our members of Congress, is as follows: "We have uniformly furnished the House of Representatives with gentlemen of the *first talents*, of unquestionable integrity, and who, by their political opponents, have been acknowledged to be the *sure* guardians of

"the public treasure. In the place of such men, (he continues,) who will be found in the next House of Representatives? I will not undertake the disgusting task of analyzing their characters." Trumbull will not descend to compare the characters of our present members of Congress with the delegation which went before them! No, he had much rather swagger in round assertions without stooping to proof. But he shall not escape in this way. I beg the reader to follow me for a few moments, while we come a little closer to those gentlemen "of the first talents," who Trumbull says, have uniformly composed our former delegation in the Congress of the United States.

That Connecticut, before the principles of the revolution were entirely forgotten in her councils, sent men of the first talents to Congress, is not to be denied. Those were the days of the Wolcotts, the Griswolds, the Shermans, and the Ellsworths, of former times. But who, for the ten or fifteen years past, have "uniformly" filled the seats which were once occupied by those venerable men? Shall we find "the first talents" of the State embodied in the persons of Ebenezer Huntington or Uriel Holmes—of Epaphroditus Champion, or John Davenport, jun.—of Lewis B. Sturges or Benjamin Tallmadge? Several of these gentlemen, before they went to Congress, were in practice as lawyers: were they ever esteemed by their fellow citizens as men, I will not say of the *first*, but of *decent* talents? Fostered as they have been from childhood, by the favours of the former government, and bolstered up by powerful patronage, where have they distinguished themselves in their professions? But let us look at them seated in the hall of Legislation. On what subject have these gentlemen, or either of them, elicited "the first talents," as representatives of Connecticut in Congress? I appeal to the reports of Congressional proceedings as published for fifteen years past in the newspapers, when I assert that *five* of the gentlemen above named, were never hardly known to open their lips in the hall of Congress, except to move for the postponement of a bill, or, peradventure, to second a motion for an adjournment. Indeed it is said, that the *fifth* gentleman was, for several sessions in succession, *hired* as a reporter, by the editors of newspapers, and, instead of entering into the debates himself, was thus gaining double pay, by taking down for the press the speeches of others: a humble employment indeed for "the first talents" of the State!! If the *sixth* gentleman was, during his Congressional career, more distinguished than his compeers, it was in an unfeeling attempt to wither the well earned laurels of three revolutionary patriots, who, while some of their officers were amassing fortunes by an illicit communication with the enemy, were honest enough to spurn at the bribes which their captive offered them. Is there a man of the present delegation, who would not feel himself dishonoured by being likened to even the most conspicuous of these gentlemen of "the first talents?" Trumbull has, indeed, informed us, that the late delegation were the "safest guardians of the public treasure;" but did our Senators and Representatives prove themselves the safest guardians of the public treasure, by unanimously voting for the odious Compensation Law?

But Trumbull objects to our present delegation, because, he says,

they never were in public life before; "*public* characters they have not sustained," is his language: and this objection comes from a man who knows that such has been the iron system of Connecticut aristocracy, that, until within the two years past, no man *could* sustain a "*public* character" here, unless he would servilely bow the knee to the creed of federalism. Trumbull's theory is this: if a man never *was* in public life, for that very reason he never should be. In other words, men must be born into public life; they must come into the world full grown Congress men! But let us see how facts will agree with Trumbull's theory. Many of the most eminent statesmen in the executive, legislative, and judicial branches of other states, and not a small portion of the representatives in the Senate and House of Representatives of Congress, from the states south and west of us, have been native Republicans of Connecticut, who were driven from the land of their forefathers, by the persecutions of the Federal administrations. And have these gentlemen been less conspicuous in their respective stations, than they otherwise would have been, because they never sustained "*public* characters" in Connecticut? Would the Meigs', the Barlows, the Baldwins, the Ruggles', the Skinners, the Huntingtons, the Kirbys, the Porters, and others who were exiled from Connecticut on account of their political tenets, shrink in comparison with Trumbull's "Congressmen born?" Would their characters be unable to stand a trial with the Davenports, the Huntingtons, the Holmes', the Champions, and the Pitkins they left behind them? If Connecticut Democrats have proved ornaments to their country, when representing the States which they have adopted, shall we presume that men of the same stamp are incapable of representing the interests of their own State, and this too before we have tried them? Shall we condemn them for no other or better reason than that they never were in Congress before? If an individual whose reputation was as circumscribed as was Timothy Pitkin's, of Farmington, when, in the course of steady habits, it became his turn to be sent to Washington, was enabled to bear the blushing honours which his friends awarded him, surely Trumbull need not yet despair of the republic. I may indeed be told, that if Federalism were again reinstated in power, we should have better men than formerly to represent us at Washington; that "the best men," *aye*, "the *real* friends of the State," would be promoted. But what evidence have we of this? Who were the men that were arrayed in titled stateliness on the last Federal Congressional ticket? John Hall, Luther Paine, Asa Willey, Elijah Hubbard! What these gentlemen, or either of them, have ever done to entitle them to be called "the best men," or men of "the first talents," I leave for the pen of Trumbull to describe.

Another of the sins which the pamphlet bewails, is, that in the Senate of the United States, a gentleman "who has been no less distinguished for *brilliancy* than solidity of talents," has been superseded. The *sparkling* gentleman here alluded to, is undoubtedly the Hon. Mr. Daggett. Much was, indeed, expected from this gentleman by his friends, when he was first elected to the Senate; from his previous standing with his party, their anticipations were highly wrought. They supposed that they had selected a man who would

at least distinguish himself in the national councils, rather than devote himself to the dalliance of a drawing-room, or the flirtations of a tea party. How these expectations have been realized, I leave the friends of the honourable gentleman to say. That he has talents I admit, but it is known that his conduct at Washington created murmurings among his own party long before the revolution in Connecticut was effected. And to them I appeal, when I say that this gentleman never originated, or was at all conspicuous in the discussion of a single important measure as a member of the Senate, during the six years of his service. He was indeed active in forwarding a bill, after another had been elected to take his place in the Senate, to *increase* the number of Judges of the Supreme Court of the United States: whether it is true or not that he expected, had the bill been passed, to have been one of the additional Judges, I do not pretend to determine. If, however, his influence was unknown in the Senate, it was felt in the Legislature of his own State. Most of the rash acts of the Connecticut Assembly, during the war, which have since hurled the actors into retirement here, are traceable to the secret management of this individual. Indeed it is said that the law prohibiting the enlistment of minors into the army of the United States, while Mr. Monroe was Secretary at War, was originally penned by Mr. Daggett, and introduced into our Legislature at his request. These are the strongest claims which Trumbull, or any one else can urge in his favour; and they doubtless were duly appreciated by the Legislature of Connecticut, when they saw fit to appoint his successor.

There is no part of Trumbull's pamphlet, in which the writer has so completely removed his mask, and allowed us to look at his real character, as in that where he attempts to weaken the confidence of this community, in the highest Judicial Tribunal of the State. Speaking of our Supreme Court, he uses the following insidious language: "Your Judiciary, fellow citizens, where is it? A few years since it was your pride; it was the admiration of your surrounding neighbours;—where is it now?" This question, he afterwards answers thus: "I need not say, that the honour of our State is prostrate; and that we are humbled in the dust." We have here another specimen of Trumbull's broad assertions, and wordy rant, without a solitary fact, or a particle of proof, to support any one allegation that he advances. If the honour of our State were "indeed humbled in the dust," Trumbull could certainly point us to some flaw in the professional or private character of some one of the Judges, which should render him unfit for his station. That Trumbull had every disposition to do this, if it could be done, the harsh language which I have quoted from his writings, clearly proves; and if he has not done it, we may safely infer, it is owing not to a want of will, but to a want of *facts*.

But to show how far alike from truth, decency, and consistency, the author of the pamphlet, in the plenitude of his malice, is capable of wandering, I need only refer to the fact, that two of the five Judges of our Superior Court, who are thus accused of humbling our honour in the dust, were first elevated to their seats under the Federal administration. A third, is a gentleman who maintained the first practice, when at the bar, of any practitioner in the western section of

the state; and whose mind has for many years been habitually disciplined to legal disquisitions, by devoting his leisure hours to qualifying different classes of students for admission at the bar. I might add further, that he has in times past been recommended to the people, by the Federalists themselves, as a candidate for some of the most responsible offices in the state. Another of the court, is a man of extensive reading, and great industry, who was at the head of the practice in the county to which he formerly belonged, and who recently held one of the most responsible offices in the state, in the gift of the general government. His legal attainments were never questioned by the most bitter of his enemies, and his integrity was never known to waver in the worst of times. The remaining member of the court, is a gentleman who was elected at the last session of the Assembly, by an almost unanimous vote of both branches of the Legislature. When at the bar, his talents and uprightness were always admitted by the profession; and to show that they have been fully acknowledged, even by his political opponents, I need only refer to the very flattering manner in which he was called to the bench. Such are the men, who, Trumbull would insinuate, are unworthy of their seats. Two of them, placed in office under the former administration, and continued by the present; a third, elected by the concurrent vote of both Federalists and Republicans; and one of the remaining two, a gentleman who has been repeatedly recommended to the highest offices by the Federalists themselves. These men have all maintained the first rank at the bar; they are now in the prime of life, and in the midst of their usefulness. I disdain the idea of attempting to underrate the talents of gentlemen, who have heretofore been honoured with seats upon the bench of our Supreme Court; but I defy the most microscopic observer to point out a period in our judicial history, when the bench of our highest court was filled by men, who, as a body, have had greater advantages, or higher qualifications, than those of our fellow citizens who at present constitute the court.

The Republicans have, indeed, been censured for not appointing, last May, all the *nine* Judges of the old Superior Court, to the bench of the present Supreme Court; and this censure comes from men who know that by a law, which was advocated and voted for by the Federalists themselves, the court could not after the last year, be composed of more than five judges. And the names of the supernumeraries, by way of creating a sort of theatrical effect, are strung up in staring capitals by Trumbull, as men who have been *turned out of office*. On no subject have greater attempts been made to misrepresent facts, and mislead the public mind, than on this. The truth is, not one of the old Judges has been turned out of office. The offices of all of them were held by annual appointments, and expired by their own limitation on the 20th of May; and this too, by a law which was enacted by a Federal legislature.

To place this subject in its proper light, it will be necessary to look a little at the history of our Courts. The old Superior Court of the State formerly consisted of but *five* Judges. In 1803, at a period when Republicanism was spreading rapidly throughout the

Union, and when party spirit ran high in Connecticut, the then Federal administration of the State deemed it necessary to strengthen the government, by drawing around it as many men of talents as offices could command. About this period, the power of admitting freemen was wrested from the hands of the selectmen, elected by the different towns, and placed under the control of office holders, who derived their appointment from the legislature. By an old law the Superior Court had the power of *disfranchising* any Freeman. The list of office holders was increased at this time, in every department of the government; and at the May session of the Assembly, 1806, the Judges of the Superior Court were increased by an act of the Legislature, from *five* to *nine*. No honest Federalist will pretend, that public necessity, or convenience, even required us to support from the Treasury, *nine* Judges for our Superior Court. No State in the Union, at the time of this accession to our bench, had more than five Judges; and even the Supreme Court of the United States, which performs business for immense circuits, consisted of but seven Judges. Why then should the small State of Connecticut, embracing an extent of territory hardly larger than the old county of Hampshire, in Massachusetts, support nine Judges, when the large States of Massachusetts on the north, and New-York on the west of us, have never felt the necessity of having more than five? The reason of this sudden increase of governmental patronage, which formed so conspicuous a part of the system of 1806, "cannot be found in the *ordinary operations of party spirit*, but must be sought after" in the implacable and persecuting policy of the designing men, who at that time wielded the power of the State. That the additional Judges, who were thus unnecessarily placed upon the bench, were men of talents, cannot at all vary the justice of the measure;—if these appointments were created to brace up a party, it was no more than right, that the law which authorized them, should be struck from the statute book when it ceased to answer the purpose for which it was made. Accordingly, among the leading acts of the Republican Assembly in 1818, was a law to reduce the Superior Court from nine to five Judges, thereby restoring the bench to the situation in which it was when the Federalists began to tamper with it. Indeed, so self-evident was the propriety of this step, that although the bill to reduce the Court was introduced by a Republican, yet it was advocated and voted for by a majority of the Federal party in the House.

In May, 1819, when the present court was organized, this law of the preceding session, limiting the court to five, came into operation; and by an act which had been previously passed by a Federal assembly, the offices of all the old judges expired. Under these circumstances, how should the new court have been organized? Trumbull would insinuate that the five new judges should all have been elected from the original nine; indeed he would seem to claim that the whole nine should have been re-appointed, although the law confined the Legislature to five! The Assembly, however, in making their selection, took four of the judges from the old court; and the fifth, though not a member of the former court, was elected by an almost unanimous vote. The supernumeraries, who were thus permitted to retire at the expiration of their offices, according to Trum-

bull, were turned out. With what propriety this is said, I leave the reader to judge.

Trumbull has also told us, that one of the supernumerary Judges had taken a part in the war of the revolution; and hence he argues, that he, whatever might be his other qualifications, should have been selected as one of the five. Revolutionary services certainly rank among the most honourable testimonials for public office, and where the qualifications of rival candidates are equal, ought always to preponderate. But dare the persecutors of Major William Judd and his associates, hold such language? The case of Major Judd was this. He had been a brave and an accomplished officer in the Revolutionary war; he afterwards was a Justice of the Peace in Connecticut; and while he held this office, he asserted, in a Republican convention, that Connecticut ought to have a written constitution of civil government. For this declaration, he was arraigned as a culprit at the bar of the Assembly; men were hired at the public expense to conduct a prosecution against him; and after a hearing, he was deprived of his commission of the Peace, in a way calculated above all others to wound the feelings of an honourable man. The accusers of this revolutionary patriot, were unwilling that he should go out of office at the expiration of his term; six months was too long a period for a Republican, who had expressed opinions favourable to the formation of a constitution, to hold even the office of a Justice of the Peace. And what adds to the damning nature of this procedure, is, that at the opening of the late convention, a vote was adopted, in which the Federalists themselves, with two or three exceptions, expressed the sentiments of Major Judd, by declaring that it was then "expedient, that the State of Connecticut should have a constitution of civil government." Surely, these men are the last who should venture to talk of revolutionary services as a recommendation for public office, so long as they can be made to remember the name of JUDD.

If Trumbull is to be believed, the republicans since they became a majority, have confined themselves to a system of political exclusion, in their appointments to office, which their predecessors knew nothing of;—a system which is represented in high wrought colours, as bordering upon intolerance itself,—and which a fair retaliation upon federalism would not warrant. His language is this: "In regard to sheriffs, judges of courts of common pleas, justices of quorum, judges of probate, justices of peace, *clerks of courts*, and even down to commissioners of turnpike roads, there has been one sweep of removal, with few exceptions, arising out of particular circumstances." If Trumbull has here misrepresented the facts, we can find no apology for him, because the Registers of appointments under the former, and present government, were ready at his hands, and a slight reference to this documentary evidence, would have easily tested the comparative liberality of the two administrations.

As to justices of peace, who according to Trumbull have all, "with few exceptions," been monopolized by the present majority, I assert it as a fact, and appeal to the list of appointments for the present year, as published, for the truth of the declaration, that more than *two hundred* of the justices now in commission, were first ap-

pointed under the federal administration; and I also declare, and appeal to the public records for the truth of what I say, that under the federal administration, instead of *two hundred*, there were not *ten* republicans in commission as justices. On whom then, does the charge of illiberality and intolerance justly fall? Which party has been guilty of monopolizing all the appointments, "with few exceptions, arising out of particular circumstances"? *Two hundred to ten* are rather fearful odds,—and yet the *patriotic* pen of Trumbull was never known to move itself in favor of the rights of the minority during the twenty years that the chariot wheels of federalism were grinding democracy in the dust! But it is not in the minor appointments of justices and road commissioners, that I would particularly draw a parallel between the two administrations,—but in regard to the higher and more lucrative appointments of "sheriffs, judges of courts of common pleas, justices of quorum, judges of probate, and clerks of courts." These offices, "the people of Connecticut" have been told, have "with few exceptions," all been filled by new appointments. How stands the fact? There are in the state eight sheriffs, twenty-four judges of common pleas courts, and justices of quorum—thirty judges of probate, twenty-one clerks of the superior, common pleas, and city courts; making in all *eighty-three* offices, which Trumbull informs us, "have been visited with a pestilential sweep of removal, with few exceptions," since the republicans gained an ascendancy. But on turning to Green's Connecticut Register, the reader will find that of the twenty-four judges, and quorum justices, *one third* now in office, were first appointed under the former administration, and have been continued in office by the present;—of thirty judges of probate, nearly *one half* received their commissions under the federal administration,—and of the twenty-one clerkships, twenty are now held by federalists, and but a solitary *one* by a republican! These facts then, which are supported by the public records, may be thus condensed: of the *eighty-three* offices above enumerated, and which Trumbull says have been cleared by a single "sweep of removal," but *forty-five* have been filled by new appointments, and the remaining *thirty-eight* remain as they were when the republicans came into power. Let us now see how this result compares with the federal list of appointments of 1815, and 1816. Among the then eighty-three offices above noticed, but a solitary man (Isaac Spencer,) can be found who was a republican. There was a period, during the early part of the federal administration, when a republican, the present collector of the port of New-Haven, was clerk of the superior court for the county to which he belonged; and although all the other clerks in the state were at the time federalists, yet such was the political proscription of the day, that notwithstanding his acknowledged capacity for the office, he was dismissed to make room for the present incumbent. With facts like these before us, the federalists of Connecticut should be the last men on earth to complain of being excluded from office. While they were at the acme of power, among eight hundred justices of their appointment, not ten republicans could be named; and among nearly one hundred of higher appointments, but a solitary democrat was tolerated in office!

We are told by Trumbull, at the close of his pamphlet, and with a

view if possible, to create a division in the republican ranks, if his labours should in other respects be lost, that the new appointments have been generally confined to what are denominated "tolerationists," or men who formerly acted with the federal party,—and the republicans of the old school, have "during the past year, been left in the back ground." Equally false and hypocritical with the rest, is this pretence. Of the *forty-five* new appointments alluded to heretofore, *forty-one* are held by old school republicans, and but *four* by gentlemen who were formerly connected with the federal party. And yet Trumbull has the unblushing impudence to declare, that "the democrats of the old school have been left in the back ground," when he, and every intelligent man of his party knows, that there are even now ten federalists in office to one of the tolerationists," whom he would represent as monopolizing the appointments." If Trumbull and his instigators have supposed that the "people of Connecticut" can be imposed upon by inconsistencies thus gross, by falsehoods thus flagrant, they have yet to learn the temper and character of the people whom they have thus attempted to dupe.

If there ever was an administration that was completely justified in permitting a goodly portion of its officers to retire from their stations, it was the administration of Connecticut, after the bitter opposition it had encountered in the election of April, 1819. It will be remembered that the Assembly of May 1818, was the first which afforded the republicans a majority in both branches of the legislature, and imposed on them the responsibility of making the appointments. The public records of that session will warrant me in saying, that *two thirds* of the then annual appointments, were *re*-appointments of men who were in office under the former administration. Indeed the higher and lucrative appointments, were almost without an exception left in federal hands. The republicans in this respect were not only liberal, but they were liberal to a fault. Good men of both parties, were at this time in hopes that the generous policy of the administration towards the minority, would serve in some measure to smooth down the asperity of party violence. About this period, the federalists convened in caucus, and agreed to "strike their colours." But little did we then suppose that this ceremony of *striking colours* was only to serve as a signal for the creeping, crooked warfare, which marked the opposition of 1818. It was always known that there were many excellent men who acted with the federal party, who were real republicans in principle, but who had been so often told that our school fund would be wasted, that our literary institutions would languish, and our judiciary be made to waver with every popular breeze, if the democrats should ever gain the ascendancy, that they were deterred from acting their real feelings. Accordingly among the most prominent provisions of our constitution, we find that our school fund is guarded by barriers which no legislative act can ever dissolve—the charter of our college is confirmed, and our judiciary placed beyond the reach of party. If the federalists had been sincere in their former pretensions, would they not have cordially approved of an instrument which secured to them and their posterity such important points? In convention, and when acting *under the solemnity of an oath*, a majority of the federal delegates did in-

deed approve of this instrument, and in a solemn manner recommended it to their constituents for adoption. But, fellow citizens, to the eternal disgrace of the federal party be it said, as soon as it was discovered that there was a distant probability of rejecting the constitution, these same delegates, "in defiance of their best judgment, and when your interests and mine, and that of the state and posterity, and the solemn oath of God required them" to vote in favor of the ratification—voted in direct opposition to their own conviction, in obedience to the decision of a CAUCUS!!*

The constitution, however, triumphed over all the opposition that could be brought to bear against it. But although the colours of federalism had been formally struck, and although *two thirds* of the offices were held by federalists, yet the administration at the very next election in April, was assailed by an opposition more violent and viperous than it had ever before encountered. Will it be said that the republicans, under these circumstances, should have tamely surrendered up the reins of government? Should federal opposition be appeased at the expense of every office in the state?—for it seems nothing short of this could satisfy its demands. Or did self respect, did public tranquillity point out a different course? I make the appeal to any honorable federalist—nay, I appeal to Trumbull himself, to say what would have been the course that he would have advised, had circumstances been reversed. Would he have recommended a milder course than to disarm the leaders of this unreasonable clamour? I venerate that religion which teaches man to forgive his enemy, but I know of no rule of gospel charity that requires him to arm an enemy with a dagger which has been once aimed at his heart.

But why does Trumbull fill up his pamphlet, by praising the merits of certain *office holders* under the former administration, and slandering the characters of men who have been placed in office since? Is this champion of Federalism willing to admit, that the emoluments of office are all that his party is contending for? Or, are we to suppose that the creed of his party is so pliable, as to be warped into the support of any measures, if they can but be permitted once more to monopolize the appointments? "It is not my intention," says Trumbull, "to enter into a discussion of the particular acts of the General Assembly, since this party (the Republicans) obtained the ascendancy in our councils." This is the first time, I presume, that an administration has been attacked, when not one of its *measures* has been shown to be undeserving of public confidence. It would have given me additional satisfaction to have met Trumbull here; and although we may fairly construe his unwillingness to "enter into a discussion of the particular acts of the General Assembly," into a virtual acknowledgment that these acts deserve the continued support of the people of Connecticut, yet I will not on this subject avail myself of his tacit admissions, but propose briefly to examine some of the lead-

* This caucus was held at Hartford soon after the rising of the convention,—and from it issued the messengers, handbills and circulars, which were scattered in all parts of the state previous to the day on which the constitution was ratified.

ing acts which have followed "the ascendancy of Republicanism in our councils."

On no subject have the people of this State been so studiously deceived, as in the situation of the public funds. Before the late revolution, they were told that the Treasury was always full, and that a change in that department would be necessarily attended by a waste of the public money. The characteristic and laudable carefulness of the people of Connecticut, on every subject relating to the pecuniary interests of the state, was thus seized upon by artful men, to strengthen themselves in power. An occurrence happened soon after the election of the present Treasurer, which afforded an opportunity to the men who had been thus predicting a waste of the public money, to claim a fulfilment of their prophecy. I allude to the loan, which was authorized by the Assembly in October, 1818. No act of the present Administration has probably raised so much excitement as this loan for sixty days, in anticipation of the taxes. It was immediately turned against the men in power, and made use of as the main battery of attack, throughout the strongly contested election of 1819. Pamphlets, hand bills, and newspapers, were loud in proclaiming that the democrats had dissipated the public money; and the loan to which I have alluded, was relied on with perfect confidence, as placing the fact beyond a question. Little did the people at that time suppose, that the very men who were most instrumental in raising this clamour, had been in the constant habit for years, of feeding the hollow coñers of their "*full Treasury*," by a continued series of loans; and that the measure, adopted in this instance by the Republicans, was but a continuation of a system of borrowing, which had been *secretly* pursued by the Federalists, till the power was wrested from their hands. What Federalist, one year ago, would have acknowledged that the loan of October, 1818, was a measure which grew out of Federal policy—a measure, that was forced upon the Legislature by the impoverished state of the Treasury, at the time it was placed under Republican controul? And yet, such is the undeniable fact. To show that I am correct on this point, I need but refer to the following transcripts of the public records, authorizing Mr. Kingsbury to borrow money, to keep up the credit of the State.

LOAN OF 1803.

STATE OF CONNECTICUT.

"At a General Assembly of the State of Connecticut, holden at Hartford on the 2d Thursday of May, being the 12th day of said month, and continued by adjournment until the 3d day of June, 1808:

"RESOLVED, by this Assembly, that the Treasurer of this State, be and he is hereby authorized to borrow any sum or sums not exceeding eight thousand dollars, for the purpose of defraying the Civil List expenses of this State, for the current year, and paying the last instalments due the Gore Company.

"RESOLVED, by this Assembly, that such dividends as shall within one year from the rising of this Assembly, be received of the Commissioner of loans, on account of reimbursement of principal of the stock owned by this State in the funds of the United States, be ap-

plied in payment of the Civil List expenses of this State for the current year.

" A true copy of record, examined by
THOMAS DAY, Secretary."

LOAN IN OCTOBER, 1808.

" RESOLVED, by this Assembly, that the Treasurer of this State be, and he is hereby authorized, to borrow on the credit of the State, such sum or sums not exceeding fifteen thousand dollars, as may be found necessary to discharge the Civil List demands on the Treasury, previous to the first day of February next, over and above the sums that now are or may be paid into the Treasury previous to that period.

" A true copy of record, examined by
" THOMAS DAY, Secretary."

LOAN IN OCTOBER, 1809.

" RESOLVED, by this Assembly, that the Treasurer of this State be, and he is hereby authorized, to borrow on the credit of the State, twelve thousand dollars of any bank or banks incorporated by this State, to be repaid as soon as the exigencies of the Treasury will permit.

" A true copy of record, examined by
" THOMAS DAY, Secretary."

LOAN IN MAY, 1813.

" RESOLVED, by this Assembly, that the Treasurer of this State be, and he is hereby authorized to borrow such sum or sums of money as may be necessary to supply the deficiencies of the Treasury in defraying the expenses of the State, until the session of the General Assembly in October next.

" A true copy of record, examined by
" THOMAS DAY, Secretary."

LOAN IN OCTOBER, 1815.

" RESOLVED, by this Assembly, that the Treasurer of this State be, and he is hereby authorized to borrow on the credit of the State, such sum or sums of money as may be necessary, not exceeding thirty thousand dollars, to be repaid as soon the exigencies of the Treasury will permit.

" A true copy of record, examined by
" THOMAS DAY, Secretary."

These resolutions, as I am informed, were always passed just at the close of each session of the Assembly, when the members began to think more of their *debenture* bill, than the means by which it was to be met; and such was the management by which these resolutions were hurried through, in the confusion of closing the session, that hardly ten men in the house, excepting the Speaker, knew their ob-

ject. Indeed, so completely were the people kept in the dark on this subject, that since the publication of these resolutions, hardly a man can be found, even among the oldest Federal members of the Legislature, who knew, or is willing to acknowledge, that such means had been resorted to by his party.

To bring the Treasury into a situation that would enable it to meet the demands upon it, without imposing additional taxes, and to redeem it from the time-serving policy of *secret loans*, which had been necessary to sustain its credit during the ten last years of the Federal administration, were among the first objects to which the Republicans turned their attention. Hence, most of their leading acts have tended to lessen, and not a single act has tended to increase the expenses of the government. A recapitulation of some of these acts may not come amiss.

By reducing the number of judges of the superior court from nine to five, an annual saving has been made of \$4,200

By reducing the county courts from five to three, in each county, our expenses have been lessened 3,000

By dispensing with the fall session of the assembly, there will ordinarily be saved 12,500

By reducing the school fund commissiener's extra salary 500

\$20,200

Making in all upwards of TWENTY THOUSAND DOLLARS per annum, a sum amounting to more than *two fifths* of the whole nett proceeds of the state tax. Had the men who have been loud in accusing the republicans, of wasting the public money, instead of increasing the expenses of our courts in 1806, by an unexampled and useless increase of judges,—then laid the foundation for similar retrenchment of public expenditures, they would have been able, instead of surrendering up in 1818, an exhausted treasury, to have transferred upwards of THREE HUNDRED THOUSAND DOLLARS, in addition to the present permanent funds of the state. And yet, it is no less singular than true, that the particular acts of the men in power, which have effected this salutary reduction of our expenses, have been more severely censured, and more violently assailed by their opponents, than any other measures of the assembly. Hence the reduction of the number of our judges, is rudely called “a prostration of our judiciary;” the dispensing with the fall session of the legislature, is called “a wanton disrespect to the best habits of the state;” and even dispensing with the extra pay of the school fund commissioner, called forth a resentful communication from that officer to the legislature, in which he very distinctly intimated, when alluding to this reduction, that nothing but a sense of public duty prevented him from depriving the people at once of his future services, by withdrawing from his station. Indeed it seems to be openly avowed by the federal newspapers, that a reversal of these measures, which thus diminish the public burthens, would take place, should their ticket be elected. What success ought to attend a list of candidates, thus headed by a perpetual claim of TWENTY THOUSAND DOLLARS a year upon the public treasury, I leave to be determined by the sound sense and honest independence of the electors.

The school fund, which we were often told would melt away, should it be placed within republican reach, I have already observed instead of being diminished, has been by an article of the consti-

tution, which no legislative act can vary—“inviolably appropriated to the support and encouragement of the public schools throughout the state, and for the equal benefit of all the people thereof.” And when we consider, that during the late war, when the treasury was pressed for money, some of the leading politicians of the day advocated the appropriation of a part of our school money to defray the expenses of the state in its mad projects against the union—I say, when this is taken into consideration, we may view the article of the constitution above noticed, by itself, as worth all the toil and expense which the constitution has cost the state. Had that instrument contained but this single provision, it would have been cheaply purchased. The same article which has thus guarded this “precious deposit,” also provides, that “the value and amount of said fund shall as soon as practicable, be ascertained, in such manner as the general assembly may prescribe, published, and recorded in the comptroller’s office.” The importance of such a provision, which places this sacred fund constantly under the eye of the assembly, will be felt, when it is remembered that although this fund was originally *secured to the state at an interest of six per cent*, yet its dividends have never averaged over from three to four per cent. I do not say, nor do I insinuate, that this diminution of dividends below the rate which was originally secured, is owing to any want of good management, since the present commissioner was appointed,—but I do say, that the party who, when entrusted by the people with their property to the amount of a million of dollars, *secured at six per cent*, have not been able to divide over *four per cent*, should be the last to charge their opponents with incapacity. They may if they please, style themselves “*the real friends of the state*,” but the mouths of such “friends of the state,” should be forever closed on the subject of the school fund.

The new system of taxation, perhaps, ranks among the most conspicuous measures of the republican administration. This system is bottomed upon the principle, that property should be made to pay towards the support of government, in proportion to its value and income, always provided that articles of luxury should be taxed higher than those articles which constitute the necessities of life. The radical defect of our old law was, that it was calculated to operate upon an entirely different state of society from what now exists in Connecticut. Commerce had not at the formation of that system, created the inequalities in wealth which now exist. The property of the state was more uniformly distributed, and less concentrated in overgrown fortunes, than it has been since the establishment of banks, and the growth of our cities and large towns—the luxuries of a more extravagant state of society had not been introduced, and the variety of bank, bridge, turnpike, insurance, and government stocks, which now swallow up the surplus funds of our wealthy capitalists, were unknown in Connecticut. Hence our former system was predicated upon the supposition that all property of the same kind, was of the same value, or of about the same value; and no discrimination was made between the taxable value of the same species of property. The house in the country, for instance worth 800 dollars, was made to contribute as much as the house in one of our large towns, worth 8000 dollars, if they each had an equal number of fire-places. The horse worth thirty dollars, paid as much as the horse worth one hundred and fifty dollars. The watch worth ten dollars,

as much as the water worth one hundred dollars. And the acre of plow land would pay two dollars, as much as the acre of plow land worth eighty dollars. And even the poor man's cow, which the law humanely considers, so far an "article necessary to uphold life," as to exempt it from being taken for debt, was made to pay a higher tax than two hundred dollars in bank stock—more than six acres of plow land worth forty dollars per acre—more than eighteen acres of (uninclosed) wood land, worth eighty dollars per acre—more than forty-one acres of second rate (uninclosed) wood land, worth fifty dollars an acre—more than a table set of silver plate—more than three building lots located in one of our principal cities, worth in all three thousand dollars. Indeed the poor man's cow, when the owner was not possessed of land enough for the animal to stand upon, was taxed for its protection, while the nabob who lived without labour upon the dividends of his insurance, bridge, turnpike, and United States stock, was not required to pay a dollar for his wealth!

It was to remedy these and other similar inequalities, that the new tax law was framed. Whether it has effected its object, an examination of its bearings will show. Under the new law, the house worth eight thousand dollars, instead of paying no more than one worth eight hundred, must pay ten dollars, where the house worth eight hundred pays one. The horse worth one hundred and fifty dollars, must pay five dollars, where a horse worth thirty pays one dollar. The watch worth one hundred dollars, must pay ten dollars, while a watch worth ten pays one dollar. The plow land worth eighty dollars per acre, instead of paying no more than similar land worth twenty dollars, must now pay four times as much as the inferior land. The two hundred dollars in bank stock, which formerly paid less than the cow of a poor family, must now pay as much as ten cows; the table set of silver plate, must pay as much as forty cows, the three thousand dollars invested in building lots, as much as seventy cows. I might run the parallel further, but enough has already been said to explain the principles of the former, and the present system.

A complaint has indeed been made, that articles of luxury will pay a higher tax under the new law than ought to be imposed upon them. These articles, such as high priced carriages, silver plate, expensive mansion houses, &c. have in all governments, been considered as ranking among the first and fairest objects of taxation. The tax upon these articles, like the former whiskey tax of the United States, is one which can be either dispensed with or not, by the citizen. If, however, it should appear that these articles have been placed at too high a rate in the list, the corrective power is in the next legislature, who can vary the rates, if necessary, without interfering at all with the general features of the system, as their constituents shall will. Trumbull has, indeed, given us an oblique objection (the only one he condescends to make) to the system; which is, that "it provides no rules for the valuation of the articles subject to taxation." And hence he would leave us to infer, that the assessors of one town may adopt a different rule in their valuations, from that adopted by the assessors of its neighbouring town. This objection might apply with some force in other states, but it cannot here. Because, in Connecticut, each town draws from the treasury its school money in proportion to the taxes paid in; and every town receives more in this way from the state treasury than it pays. By the original bill, as first reported to the legislature, it was provided

that a commissioner should be appointed in each county, to review and equalize the assessments of the several towns. The county commissioners were again to constitute a general board, to equalize the grand list of the State. Had this provision prevailed, Trumbull's difficulty would have been prevented. And I put it to him to say, why this provision was not adopted? Truth will compel him to acknowledge, that this feature of the bill was violently opposed in the House of Representatives by the whole federal party, with Messrs. Law, Goddard, Pitkin, Austin, and Williams at their head; and was finally stricken out by the Senate, and concurred in by the lower house, to make the bill more acceptable to these gentlemen. The ground taken by the minority then was, that the school money would always serve as a regulator, and that commissioners were unnecessary. In this, I believe, they were correct; though their subsequent conduct shows they were at the time insincere; for they now find fault with the very features of the law, which their friends once boasted they "fought into the bill."

The exemption from the poll tax of all persons over sixty years of age, and all under twenty-one, is a prominent improvement of the new system, particularly the exemption of minors. The branch of the old law which required a farmer or mechanic, to pay for the polls of his children or apprentices, was calculated in a peculiar manner to bear upon the industry, if not the poverty of the state. The children of the rich, who were sent to college, or educated for either of the learned professions, the sons of the *nobility* as it were, by law were exempt from the poll tax, while the farmer and mechanic were taxed for their children, for no other reason than that they were not rich enough to educate them at Yale College. By the new law, the children of the poor are placed on a level with the rich.

Such are the outlines of the new system of taxation; a system which was adopted, after mature deliberation, by the unanimous vote of one branch of the Assembly, and by an unusual majority, in which are to be found the names of some of the largest farmers, in the federal party, in the House of Representatives. The Legislature have at the same time provided, that no tax shall be imposed upon the new list, until the result of the different assessments shall be examined by the next Assembly. If, on such examination, it should be found that the law can be rendered more perfect in practice, by either raising or reducing the rate per cent at which any species of property is fixed, this can then be easily done without marring the principles of the system.

In addition to these measures, which I have particularly examined, I will only observe, that the republicans have dispensed with one election in each year, by which, estimating the time of each man even at fifty cents per day, a saving has been made to the people of more than fifteen thousand dollars a year.

They have repealed the *stand up law*, as it was called, and restored to the people the right of private ballot for public officers.

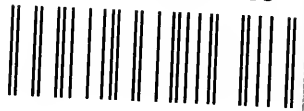
They have lessened the burthens of our militia, by erasing from the military code the odious and expensive provisions of the law of 1815.

They have, by law, guarded against the impositions which have heretofore been practised upon the treasury, by claims on account of State paupers.

They have removed the veil of mystery which was formerly drawn around the treasury, and have by a public act, directed that a statement of the receipts, expenditures, and debts of that department, accompanied with a statement of the permanent funds of the State, shall be annually published by the Secretary, within thirty days after the rising of the General Assembly.

These measures might be enlarged upon, but I have already protracted the examination further than I intended when I first took up my pen. With Trumbull, I will only say, that "my appeal is not to any party, but to the friends of the State; and I trust I shall not make the appeal in vain." If the improvements which have been noticed are worth preserving, it is the duty of every good citizen to see that they are protected from the assaults of demagogues, and handed down unimpaired to posterity.

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